

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SAM FITZGERALD, on behalf of herself and all
others similarly situated,

Plaintiff,

- against -

WILLIAMS & FUDGE, INC.,

Defendant.

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ROSLYNN R. MAUSKOPF, Chief United States District Judge.

MEMORANDUM AND ORDER
17-CV-7074 (RRM) (RLM)

Plaintiff Sam Fitzgerald brought this putative class action against Williams & Fudge, Inc., (“W&F”), alleging that a debt collection letter sent by W&F violated the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, (“FDCPA”). (Doc. No. 1.) On July 2, 2019, W&F filed a motion to dismiss the action. (Doc. No. 11.) In her brief in opposition, Fitzgerald moved for leave to amend her complaint pursuant to Federal Rule of Civil Procedure 15(a). (Doc. No. 13.) In an order issued on May 18, 2020, the Court granted W&F’s motion to dismiss and noted that the Court’s Individual Rule III(A)(2) required Fitzgerald to file a letter requesting a pre-motion conference prior to moving to amend her complaint. (Order Dismissing (Doc. No. 15) at 4.) Accordingly, the Court directed Fitzgerald “to file a proposed amended complaint and a letter in compliance with this Court’s Individual Rule III(A)(2)” within 30 days. (*Id.* at 4–5.) The Court warned that “[i]f Fitzgerald fail[ed] to file a proposed amended complaint and pre-motion conference letter within 30 days of the date of this Order, judgment m[ight] enter against her.” (*Id.* at 5.) Thirty days have now elapsed and, to date, Fitzgerald has not filed a pre-motion conference letter or a proposed amended complaint.

Accordingly, for the reasons set forth in the Court's Memorandum and Order dated May 18, 2020, this action is dismissed. The Clerk of Court is directed to enter judgment for Williams & Fudge, Inc., and to close this case.

SO ORDERED.

Dated: Brooklyn, New York
October 15, 2020

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
Chief United States District Judge